



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 19 2002

REPLY TO THE ATTENTION OF:

AE-17J

Thomas F. Newkirk
1316 Royal Ave. N.E.
Canton, OH 44705

Dear Mr. Newkirk:

The United States Environmental Protection Agency (U.S. EPA) received a letter from you dated October 6, 2002 complaining about air pollution from Ohio Cast Products, Inc., a foundry in Canton, Ohio. The letter included photographs of visual emissions emanating from buildings on the property of Ohio Cast Products, Inc.

As a result of your complaint, U.S. EPA contacted the Canton City Health Department, Air Pollution Control Division. Robert Zahirsky from the Health Department indicated that the Ohio Environmental Protection Agency (OEPA) signed an Consent Decree with Ohio Cast Products, Inc. in 1999 which requires the installation of pollution control equipment and emissions testing. In addition, Mr. Zahirsky indicated that the OEPA has an on going enforcement action against Ohio Cast Products Inc. for violations of particulate matter emission standards from emission units not covered by the 1999 Consent Decree. U.S. EPA asked about the visual emissions apparent in photographs included in your letter. Mr. Zahirsky indicated that the Health Department has been investigating the source of the visual emissions and is planning on handling these problems locally.

If you have any additional questions on this issue, please contact the Canton City Health Department.

Sincerely,

Charles G. Hall for WLM

William MacDowell, Chief
Air Enforcement and Compliance Assurance Section (MN/OH)

cc: Robert Zahirsky
Air Pollution Control Division
Canton City Health Dept.
420 Market Ave. North
Canton, Ohio 44702-1544

RECEIVED

OCT 16 2002

AIR ENFORCEMENT BRANCH,
U.S. EPA, REGION 5



October 6, 2002

To Whom It May Concern:

Ever since 1994, we have been troubled by environmental problems from Ohio Cast Products, Inc., which is a foundry. We have contacted city officials, the EPA in Canton and Columbus, Ohio, and our district's EPA agency in Chicago with no results. That same year, twenty-eight residents filed a civil suit against the company, which was settled out of court in 1996. We thought that this would have solved the problem, but it didn't. The problem was finally turned over to Betty Montgomery, the Attorney General for the state of Ohio. At the written request of the Director of Environmental Protection, action was supposed to be taken to enforce chapter 3704 of the Ohio Revised Code. In June of last year, thirty-seven residents of this community filed another civil law suit against Ohio Cast. It was settled out of court in October of the same year. Even so, the company is still polluting the air.

We are concerned about our health for having to endure this problem for such a long time. Enclosed are some photographs of some of the pollution that has been occurring almost 4-5 times in a 24-hour period. So, we would appreciate it if you could give us some assistance in solving this problem.

Respectfully,

Thomas F. Newkirk

Defendant:

Ohio Cast Products, Inc.
2408 13th Street N.E.
Canton, OH 44705

ate sues area rm, charging r pollution

EDD PRITCHARD
pository business writer

CANTON — State officials are
d after more than two years
egotiations, and have filed a
suit charging Ohio Cast Prod-
with numerous air pollution
ontrol violations.

ow the company's owner,
od K. Gupta, finds himself in
gal dispute with elected offi-
s from the Ohio Republican
y, which he has financially
ported over the years. The



Repository / Scott Heckel

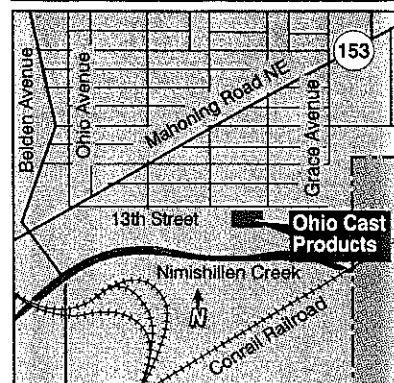
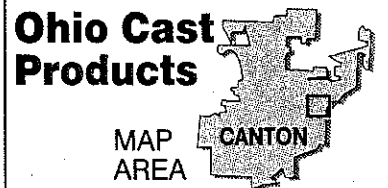
■ **TARGET.** Ohio Cast Products, which runs this plant at 2408 13th St. NW, has been sued by the state over air pollution control violations.

lawsuit was filed by Ohio Attor-
ney General Betty Montgomery
after a lengthy investigation by
the Ohio Environmental Protec-

tion Agency.

Ohio Cast, at 2408 13th St. NE,

■ **POLLUTION A-10**



Repository graphic

A-10 THE REPOSITORY Canton, Ohio Thursday, Dec. 10, 1998

Pollution

■ CONTINUED FROM A-1

is accused of installing and oper-
ating equipment without obtain-
ing proper air pollution control
permits. It also is accused of
obtaining permits, but not fol-
lowing orders set down in the
permits.

The state also cites 16 in-
stances — one in 1992, five in
1994, two in 1995 and eight in
1997 — when Ohio Cast allowed
hazardous gases and fumes to
escape from its smokestacks.

All of the violations are punish-
able by fines of up to \$25,000 per
day for each incident. The fines
could total millions of dollars,
because some violations occur-
red over a five- to eight-year pe-
riod, according to the lawsuit.

Company officials had no com-
ment about the legal action,
which was assigned to Stark
County Common Pleas Court
Judge John F. Boggins.

Gupta could not be reached
for comments, and questions
were referred to William Gaynor,
the company's human resources
director. Gaynor said he could
not discuss pending litigation.

State officials aren't after
money or trying to close down
Ohio Cast, they just want the
problems solved, said Jennifer
Detwiler, a spokeswoman for
Montgomery's office.

"We're trying to bring these
people in compliance with the
law," Ms. Detwiler said.

But the Ohio EPA has been
working with Ohio Cast since
1990, which is when Gupta and
some fellow investors bought
then bankrupt Canton Castings.
EPA officials decided to turn the
matter over to Montgomery's
office in April 1996.

The attorney general's staff
and Ohio Cast have been negoti-
ating ever since, but haven't
resolved all of the problems, Ms.
Detwiler said. Gaynor acknowl-
edged that the company has
talked to state officials.

Negotiations usually resolve
pollution disputes like the one
between the state and Ohio Cast,
Ms. Detwiler said. In most cases,
the state will file a legal action
and a negotiated settlement
agreement against a violator.

Some of the problems at Ohio
Cast have been corrected, she
said. The company did obtain a
number of required permits and
has taken steps to be in compli-
ance.

But the lawsuit cites specific
situations that are unresolved:

- Since August 1990, the com-
pany has violated permits by
failing to install a hooding and
wet scrubber needed to capture
and vent particulates from one
machine.

- Since July 1997, the company
has failed to conduct stack tests
that demonstrate compliance with
allowable mass emission rates.

- Since December 1997, it has
failed to keep a furnace lid
closed during an operating cycle.

- On several occasions, it failed
to report the malfunction of air
pollution control equipment.

- The company failed to install
equipment to prevent "fugitive
dust" from becoming airborne.

This isn't the first time Gupta's
company has found itself under
scrutiny from a state agency.

In 1993, the company fell be-
hind in its workers' compensa-
tion premiums by \$139,000. At
the time, Gupta blamed the late
payments on a high incidence of
injuries at Ohio Cast, and said
the company and state had
agreed to a payment schedule.

Gupta also took heat in 1993
for allegedly being the person
who swayed Gov. George Voin-
ovich to include Asian Indians
among "minority business enter-
prises" when awarding state
contracts. The designation was
dropped that year.